

## PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Tony Douvlis  
DOCKET NO.: 04-27975.001-R-1 and 04-27975.002-R-1  
PARCEL NO.: 13-05-113-038-0000 and 13-05-113-039-0000

The parties of record before the Property Tax Appeal Board are Tony Douvlis, the appellant, by attorney Jerrold H. Mayster with the law firm of Mayster & Chaimson, Ltd. in Chicago, and the Cook County Board of Review.

The subject property consists of a 36-year-old, two-story, mixed-use building of masonry construction containing 3,457 square feet of building area as well as a vacant lot. Features of the building include eight and one-half bathrooms, a full-unfinished basement with one commercial unit.

The appellant, through counsel, submitted evidence before the Property Tax Appeal Board claiming the subject's market value is not accurately reflected in its assessment. The appellant's evidence disclosed that the subject was purchased in July 2003 for a price of \$437,500 and provided copies of the subject's settlement statement and warranty deed. Based upon this information, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review-Notes on Appeal." The subject's total combined assessment for both parcels is \$58,904. The board submitted evidence in support of its assessed valuation of the subject property. As evidence, the board provided five sales of mixed use properties ranging in size from 2,000 to 5,000 square feet of building area that sold between April 2002 and January 2005 for prices ranging from \$270,000 to \$575,000, or from \$110.00 to \$132.29 per square foot

(Continued on Next Page)

Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds a reduction in the assessment of the property as established by the Cook County Board of Review is warranted. The correct assessed valuation of the property is:

<u>Docket No.</u>	<u>Parcel No.</u>	<u>Land</u>	<u>Imprv.</u>	<u>Total</u>
04-27975.001-R-1	13-05-113-038-0000	\$3,888	\$39,574	\$43,462
04-27975.002-R-1	13-05-113-039-0000	\$3,888	\$ 0	\$ 3,888

Subject only to the State multiplier as applicable.

PTAB/rfd5921

of land and building. No analysis or adjustment of the sales data was provided by the board.

The appellant contends the market value of the subject property is not accurately reflected in its assessed valuation. When market value is the basis of the appeal the value of the property must be proved by a preponderance of the evidence. National City Bank of Michigan/Illinois v. Illinois Property Tax Appeal Board, 331 Ill.App.3d 1038 (3<sup>rd</sup> Dist, 2002); Winnebago County Board of Review v. Property Tax Appeal Board, 313 Ill.App.3d 179 (2<sup>nd</sup> Dist. 2000). Proof of market value may consist of an appraisal, a recent arms-length sale of the subject property, recent sales of comparable properties, or recent construction costs of the subject property. (86 Ill.Adm.Code §1910.65(c)) Having considered the evidence, the Board finds the appellant has satisfied this burden and a reduction is warranted.

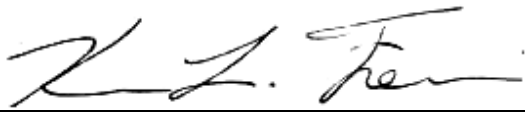
The subject property was the subject matter of an appeal before the Property Tax Appeal Board in 2005 under docket number 05-24920.001-R-1 and 05-24920.002-R-1. In that appeal, the Property Tax Appeal Board rendered a decision lowering the assessment of the subject improvement based on an agreement between the parties. The agreement disclosed that for 2005 the subject's improvement assessment was reduced from \$51,128 to \$39,574.

"A substantial reduction in the subsequent year's assessment is indicative of the validity of the prior year's assessment. Hoyne Savings & Loan Assoc. v. Hare, 60 Ill.2d 84, 90, 322 N.E.2d 833, 836 (1974); 400 Condominium Assoc. v. Tully, 79 Ill.App.3d 686, 690, 398 N.E.2d 951, 954 (1<sup>st</sup> Dist. 1979)." Therefore, the Board finds that based on the subject's 2005 Property Tax Appeal Board decision which was based on an agreement by the parties as to the correct assessed valuation of the subject, it is appropriate to reduce the subject's improvement assessment for 2004 to reflect the 2005 reduction.

This is a final administrative decision of the Property Tax Appeal Board which is subject to review in the Circuit Court or Appellate Court under the provisions of the Administrative Review Law (735 ILCS 5/3-101 et seq.) and section 16-195 of the Property Tax Code.



Chairman



Member



Member



Member



Member

DISSENTING: \_\_\_\_\_

C E R T I F I C A T I O N

As Clerk of the Illinois Property Tax Appeal Board and the keeper of the Records thereof, I do hereby certify that the foregoing is a true, full and complete Final Administrative Decision of the Illinois Property Tax Appeal Board issued this date in the above entitled appeal, now of record in this said office.

Date: August 14, 2008



Clerk of the Property Tax Appeal Board

**IMPORTANT NOTICE**

Section 16-185 of the Property Tax Code provides in part:

"If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel after the deadline for filing

complaints with the Board of Review or after adjournment of the session of the Board of Review at which assessments for the subsequent year are being considered, the taxpayer may, within 30 days after the date of written notice of the Property Tax Appeal Board's decision, appeal the assessment for the subsequent year directly to the Property Tax Appeal Board."

In order to comply with the above provision, YOU MUST FILE A PETITION AND EVIDENCE WITH THE PROPERTY TAX APPEAL BOARD WITHIN 30 DAYS OF THE DATE OF THE ENCLOSED DECISION IN ORDER TO APPEAL THE ASSESSMENT OF THE PROPERTY FOR THE SUBSEQUENT YEAR.

Based upon the issuance of a lowered assessment by the Property Tax Appeal Board, the refund of paid property taxes is the responsibility of your County Treasurer. Please contact that office with any questions you may have regarding the refund of paid property taxes.